

REMARKS

Claims 1-15 and 19-20 are pending in the application. Specification has been amended to replace the title of the invention and the abstract. Claims 1-15 and 19-20 have been amended to correct typographical and grammatical errors and to more clearly point out the presently claimed invention. Support for amended claim 1 can be found at pages 3-4 in the specification and Figures 1A and 1B. Support for amended claim 15 can be found at page 3 in the specification. Accordingly, no new matter has been inserted into the application.

Specification

The Examiner suggests the proper language and format for an abstract in general. In particular, the Examiner states that the word “invention” is improper language for the abstract. A new replacement abstract is provided to address the Examiner’s concerns. It is believed that the abstract is believed to be in proper format.

Claim Objection

The claims have been objected to because they include reference characters which are not enclosed within parentheses. Claims have been amended to delete the reference characters. Accordingly, this objection has been overcome.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 1-15 and 18-20 have been rejected as being indefinite. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Regarding claims 1-15, the Examiner states that the term “pelvis remedial seated device” is unclear language. The Examiner also states that the phrase “a seat 10 included a seat cushion” is unclear and confusing language.

Regarding claim 2, the Examiner states that the word “demountably” is unclear language.

Regarding claim 6, the Examiner states that the language is unclear as to whether the “pelvis remedial seated device” is claimed in combination with the “chair.”

Regarding claim 7, the Examiner suggests “detachable” instead of the word “detached.” The Examiner also states that “the central bottom” lacks antecedent basis. The Examiner suggests the claim language to be worded as “the seat cushion (11) having a bottom, a centrally located, transversely extending rail (61) is installed on the bottom of the seat cushion (11).” The Examiner also suggests that “the each” should be “each.”

Regarding claim 10, the Examiner states that the language “during no occupant’s seating” is unclear and confusing language. The Examiner also states that “the light”, “the running”, and “the commend” lack antecedent basis.

Regarding claim 11, the Examiner states that “the command” lacks antecedent basis.

Regarding claim 14, the Examiner states that “the running duration” lacks antecedent basis.

Regarding claim 15, the Examiner states that the phrase “such as” renders the claim indefinite.

Regarding claim 18, the Examiner states that the phrase “a type of” renders the claim indefinite.

Claims 1-15 and 19-20 have been amended to address the Examiners concerns and to more clearly point out the presently claimed invention as suggested by the Examiner.

Accordingly, it is believed that this objection has been overcome.

Rejection Under 35 U.S.C. § 102(b) Over Urban (U.S. Patent No. 4,145,083)

Claims 1-2, 4, and 6 have been rejected as being anticipated by Urban. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Presently claimed invention

The presently claimed invention is directed to a pelvis remedial seating device comprising a seat including a seat cushion on which an occupant is to be seated and left/right seat sides provided uprightly at each side end of the seat cushion; a pair of air bags nested to a height of the pelvis portion of an occupant on an inner side of each side for enabling themselves to be expanded or contracted by air supplied into or discharged from the inside of the air bag; air injection means for providing air pressure to the air bags; and a controller for controlling running time, level, and direction of air flow supplied through the air injection means, wherein the expanding air pressure in the air bags presses the pelvis portion of an occupant.

Urban

Urban discloses a therapeutic chair having angularly displaceable seat bottom and seat back positioned on a supporting base for pivotable movement relative thereto.

Distinctions of the presently claimed invention over Urban

The presently claimed invention relates to a pelvis remedial seating device for remedying a woman's pelvis widened after child birth into its original place. The presently claimed invention is comprised of seat, a pair of air bags, air injection means, and a controller. The

device of the presently claimed invention remedies the pelvis by controlling air pressure in the air bags to provide the pelvis portion of a woman smooth and continuous pressure in a repeated manner. Therefore, the air bags in the presently claimed invention which are installed at right and left side can be expanded or contracted crosswise, and a crooked pelvis can be remedied by applying pressure to the pelvis diagonally. Further, the air bags in the presently claimed invention are nested to the height of the pelvis portion of an occupant, and are positioned on the inner side of each side.

Urban discloses a therapeutic chair for child suffering from cerebral palsy. The chair disclosed in Urban assists a spastic cerebral palsied child to improve his sitting. The chair disclosed in Urban also enables the child to avoid the extensor thrust positioning that may involuntarily occur when the child is placed or inadvertently moves into an improper or inappropriate position. Some of the important structures of the chair disclosed in Urban are seat bottom and seat back which are provided with lateral side walls that serve to maintain a child's upright and generally longitudinally aligned body and trunk position. Accordingly, the vertical height of the seat back is of an extent to assure that support is also provided for the head to restrict the extreme lateral displacement which may inadvertently occur without such support. To achieve this purpose, the chair disclosed in Urban has air bags on the side wall, the seat bottom as well as the seat back.

Two major differences between the presently claimed invention and the chair disclosed in Urban are first, the chair disclosed in Urban does not have an air injection means controllable by a controller as in the presently claimed invention, and second, in contrast to the presently claimed invention having air bags at right and left sides, but not on the seat back, the chair disclosed in Urban has air bags in the seat back as well as in the side walls. In addition, the

height of the demountable first seat back in the presently claimed invention is extended only up to the pelvis of an occupant while the height of the seat back disclosed in Urban is extended to support the head and is pivotally fixed to the seat bottom. Accordingly, it is believed that the presently claimed invention is not anticipated by Urban.

Rejection Under 35 U.S.C. § 103(a) Over Urban in view of any one of Warburton (U.S. Patent No. 5,123,699), Graebe (U.S. Patent No. 5,461,741) and Barber (U.S. Patent No. 6,378,947 B1)

Claim 3 has been rejected under 35 U.S.C. § 103(a) as being obvious over Urban in view of any one of Warburton, Graebe and Barber. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Urban is discussed above. Warburton, Graebe, and Barber have been cited for disclosing concaved groove at the center of seat where the hips of an occupant is set.

Distinctions of the presently claimed invention over the cited references

The Examiner has failed to establish *prima facie* obviousness of the invention. There fails to be motivation to combine the cited references as none of the references discloses or suggests a pelvis remedial seating device comprising a seat including a seat cushion on which an occupant is to be seated and left/right seat sides provided uprightly at each side end of the seat cushion; a pair of air bags nested to a height of the pelvis portion of an occupant on an inner side of each side for enabling themselves to be expanded or contracted by air supplied into or discharged from the inside of the air bag; air injection means for providing air pressure to the air bags; and a controller for controlling running time, level, and direction of air flow supplied through the air

injection means, wherein the expanding air pressure in the air bags presses the pelvis portion of an occupant as in the presently claimed invention.

In addition, as noted above, the presently claimed invention is distinguished over the chair disclosed in Urban. Therefore, even if the disclosure of the concaved groove in Warburton, Graebe, and Barber are combined with the chair disclosed in Urban, they fail to arrive at the presently claimed invention. Accordingly, it is believed that the presently claimed invention is not obvious over the cited references.

Rejection Under 35 U.S.C. § 103(a) Over Watkins (U.S. Patent No. 6,840,577 B2) in view of Urban

Claims 1-2 and 4-5 have been rejected under 35 U.S.C. § 103(a) as being obvious over Watkins in view of Urban. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Urban is discussed above.

Watkins

Watkins discloses an adjustable folding planar seat having a seat support in a first plane, a back support in a second plane and coupled to the seat support, and a plurality of side supports coupled to the back support. However, Watkins fails to disclose or suggest a pelvis remedial seating device comprising a seat, a pair of air bags, air injection means, and controller as in the presently claimed invention.

Distinctions of the presently claimed invention over the cited references

The Examiner has failed to establish *prima facie* obviousness of the invention. There fails to be motivation to combine the cited references as none of the references discloses or suggests a

pelvis remedial seating device comprising a seat including a seat cushion on which an occupant is to be seated and left/right seat sides provided uprightly at each side end of the seat cushion; a pair of air bags nested to a height of the pelvis portion of an occupant on an inner side of each side for enabling themselves to be expanded or contracted by air supplied into or discharged from the inside of the air bag; air injection means for providing air pressure to the air bags; and a controller for controlling running time, level, and direction of air flow supplied through the air injection means, wherein the expanding air pressure in the air bags presses the pelvis portion of an occupant as in the presently claimed invention.

The presently claimed invention is clearly distinguished from the adjustable folding planar seat disclosed in Watkins. While the seat back in the presently claimed invention is demountable, the back support in Watkins is not demountable, but is only configured to be adjusted or to fold relative to the seat support. Nowhere in Watkins does it disclose a demountable seat back.

Urban is cited for disclosing the concept of air bags. As described above, the air bags in the presently claimed invention is distinguished from the air bags disclosed in Urban because the number and the location of the air bags are different between the presently claimed inventive seat and the chair disclosed in Urban. Accordingly, it is believed that the presently claimed invention is not obvious over the cited references.

Rejection Under 35 U.S.C. § 103(a) Over Urban in view of any one of Schultz (U.S. Patent No. 5,419,616), Tornero (U.S. Patent No. 5,660,442) and Breen (U.S. Patent No. 5,839,784)

Claims 6-7 have been rejected under 35 U.S.C. § 103(a) as being obvious over Urban in view of any one of Schultz, Tornero and Breen. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

Urban is discussed above. Schultz, Tornero, and Breen have been cited for disclosing the structure of a chair.

Distinctions of the presently claimed invention over the cited references

The Examiner has failed to establish *prima facie* obviousness of the invention. There fails to be motivation to combine the cited references as none of the references discloses or suggests a pelvis remedial seating device comprising a seat including a seat cushion on which an occupant is to be seated and left/right seat sides provided uprightly at each side end of the seat cushion; a pair of air bags nested to a height of the pelvis portion of an occupant on an inner side of each side for enabling themselves to be expanded or contracted by air supplied into or discharged from the inside of the air bag; air injection means for providing air pressure to the air bags; and a controller for controlling running time, level, and direction of air flow supplied through the air injection means, wherein the expanding air pressure in the air bags presses the pelvis portion of an occupant as in the presently claimed invention.

In addition, as noted above, the presently claimed invention is distinguished from the chair disclosed in Urban. Therefore, even if the disclosure of the structure of a chair in Schultz, Tornero, and Breen are combined with the chair disclosed in Urban, they fail to arrive at the presently claimed invention. Accordingly, it is believed that the presently claimed invention is not obvious over the cited references.

Rejection Under 35 U.S.C. § 103(a) Over Long (U.S. Patent No. 6,098,000)

Claims 16-18 have been rejected under 35 U.S.C. § 103(a) as being obvious over Long. Applicant traverses this rejection. Reconsideration and withdrawal thereof are respectfully requested.

However, claims 16-18 have been canceled. Accordingly, this rejection has been overcome.

Allowable Subject Matter

Applicants acknowledge the Examiner's indication that claims 9-15 and 19-20 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph and to include all of the limitations of the base claim and any intervening claims. Claims 9-15 and 19-20 have been amended to overcome the rejections. Therefore, it is believed that the amended claims 9-15 and 19-20 are now in allowable condition.

Conclusion

It is believed that the application is now in condition for allowance. Applicants request the Examiner to issue a notice of Allowance in due course. The Examiner is encouraged to contact the undersigned to further the prosecution of the present invention.

The Commissioner is authorized to charge JHK Law's Deposit Account No. **502486** for any fees required under 37 CFR § 1.16 and 1.17 and to credit any overpayment to said Deposit Account No. **502486**.

Respectfully submitted,

JHK Law

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